



Targeted Site Investigation Application for 2008 - 2009

This document outlines a process for the Department of Toxic Substances Control (DTSC) and the Water Boards, collectively the "Cal/EPA Departments," to select a limited number of Brownfields sites in California that will receive services to conduct Targeted Site Investigations (TSI). The selection procedures provide the Cal/EPA Departments with a method to evaluate candidate sites and ensure that the sites are eligible to participate in the program. Selected sites will receive investigation services conducted by DTSC's contractor under Cal/EPA's staff oversight. Applicants will need to submit the information identified in this document in order to be considered for this program.

BACKGROUND

DTSC has awarded \$1.5 million in grant funds annually from the U.S. Environmental Protection Agency (U.S. EPA) pursuant to Subtitle C, State Response Program of the Small Business Liability Relief and Brownfields Revitalization Act of 2002. The grant will fund activities designed to encourage Brownfields redevelopment in California.

Under the grant \$550,000 has been allocated to conduct TSI evaluations at no cost to the applicant. The TSI funds are targeted at local governments, school districts, redevelopment agencies, and non-profit organizations as an opportunity to gain more information about a site's condition and facilitate decisions on property acquisition or development strategy. Once a site has been selected, Cal/EPA Department staff and the applicant will discuss the proposed activities, which may include: preparation of a sampling plan, conducting field work, preparation of an investigation report, or conducting a Preliminary Endangerment Assessment. DTSC will prepare a site specific scope of work and issue a work order for their investigation contractors to follow. Using the TSI funds does not preclude a public or private entity from participating in other U.S. EPA, or Cal/EPA, grant funded programs.

ELIGIBILITY CRITERIA

The Cal/EPA Departments have developed eligibility criteria to ensure sites meet the grant requirements and the work can be completed within the 1-year grant cycle. Information submitted to Cal/EPA Departments will be evaluated and to ensure program criteria have been met. **An applicant is limited to one TSI per fiscal year.** An applicant may be eliminated from participating in the program if Cal/EPA Department staff or managers believe the applicant's past actions show an unwillingness to be cooperative.



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In order to be eligible for services under the TSI program, the applicant can be:

- a local government agency;
- a school district;
- a public agency
- a redevelopment agency; or
- a non-profit organization

Candidate sites will need to meet the following eligibility criteria:

1. Brownfields status: Sites must meet the U.S. EPA definition of a "Brownfields" site. U.S. EPA's definition comes from the 2002 federal legislation (cited earlier) and codified in 42 U.S.C. 9601. With certain legal exclusions and additions, the term "Brownfields" means *real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant* and may include petroleum hydrocarbon releases.

Sites ineligible to receive U.S. EPA grant funds include:

- sites with ongoing or planned U.S. EPA directed removal actions;
- sites proposed or listed on the National Priority List (NPL);
- federally owned properties;
- sites under enforcement actions; and,
- active sites subject to RCRA corrective action.

Typical examples of Brownfields sites include former industrial and manufacturing facilities.

2. Current ownership: Sites should be one of following:

- a proposed project owned by a public agency or a non-profit organization; or,
- within a redevelopment planning area; or,
- a project that is of interest to the public agency or non-profit organization facilitating or fostering the property for reuse.

3. Site access: Sites should be readily accessible to Cal/EPA Department staff and DTSC's contractor for the purpose of performing TSI fieldwork (e.g., soil borings, monitoring well installation, or sampling). The applicant must include written authorization from the landowner, allowing site access and the landowner may be asked to sign a formal site access agreement (see application). The site should be cleared of excess vegetation and/or any other physical barriers that would impede the collection of samples under the TSI.



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4. Local agency/community support: Cal/EPA Departments requires assurances that the local agencies and communities support the investigation efforts being conducted under this program. The application should include letter(s) of support from persons such as community leaders, representatives from the local redevelopment agency or economic development agency, or other branches of local government (e.g., mayor's office).

5. Limits to the Project Scope: Federal guidelines prohibit any site from receiving more than \$200,000 in funds or services under this grant. Due to the number of applications received and the limitation of available funding, actual TSI grants have generally been awarded in the range of \$45,000 to \$150,000.

SCORING CRITERIA

Eligible sites will be scored using the following criteria:

1. Uncertainty reduction/outcome: This category evaluates the likelihood the TSI will reduce uncertainty over the degree of site contamination, and focuses on the outcome of the services provided under the TSI. For example, the TSI funds can reduce uncertainty over the degree of site contamination by filling data gaps. While the TSI funds typically will be inadequate to fully characterize large or complex sites, the funds could be used to reduce uncertainty over site contamination at smaller sites or sites with simpler chemical use histories (e.g., nurseries). TSI funds may be leveraged if they are used to supplement other potential sources of funding.

In addition, the TSI could assist in finalizing the investigation or scoping of the cleanup especially if there are funds already earmarked for cleanup. Scoring this category involves an evaluation of the direct benefit of the information to be gained by the TSI funds.

2. Pioneer status: In an economically distressed neighborhood, redeveloping the first Brownfields site is more difficult than subsequent redevelopment. However, it is likely to encourage redevelopment of other nearby Brownfields sites. "Pioneer" Brownfields sites are therefore more likely to benefit from the TSI efforts than sites that are already in an economically sound area. Scoring this category involves an evaluation of the economic status of the community and the potential for the area to change based on Brownfields redevelopment.

3. Plans for reuse: This category evaluates the planning, schedule and funding sources for a redevelopment or reuse project. (Reuse is not limited to commercial development and can include a proposed school project, community open space and green-space use, habitat restoration and specialized non-profit



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or school projects). Redeveloping a property is more likely to occur when specific plans for reuse and financing arrangements have been identified. Factors to consider include: whether the project is within a designated redevelopment area, the specific plans and timing for reuse, whether funds have been set aside or identified for the redevelopment or reuse project, how reliable is the identified funding, and whether the project is supported by the community and public officials.

Applicants are encouraged to highlight the number of acres/square feet that will potentially be put in beneficial reuse based on the TSI.

5. Community benefit: The potential benefits to a community from a reuse project can be measured as:

- *Potential Economic Benefit:* increases tax base, creates jobs or serves as a magnet for other retail and commercial development;
- *Social Benefit:* provides low income housing, addresses environmental justice issues, reduces and/or addresses health risk questions posed by surrounding residents;
- *Schools:* assists school districts in complying with regulatory requirements in order to construct new school facilities or expands an existing project by providing funds to assist with site assessment activity;
- *Cultural or Historical Significance:* preserves culturally sensitive or historic properties;
- *Creation or Restoration of Sensitive Land Uses:* creates wildlife preserves, parks, open space, and hospitals; and
- *Water Quality Significance:* addresses issues such as water runoff from an adjoining contaminated property or determines if groundwater has been contaminated.

SELECTION PROCESS

The following selection process will be used by the agencies to select the sites.

1. Identify potential sites: Applicants should contact Cal/EPA Department staff listed in the document to determine if the site is eligible and discuss the content for the application package. Any sites not meeting the eligibility criteria will be eliminated from further consideration.

2. Obtain applications for potential sites: An application package for each candidate site should be completed following the guidelines included in this package. The completed application package, including any letters of support, and a description of the project, must be submitted to one of the designated Cal/EPA Department staff listed in this document.



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3. Site scoring: Cal/EPA Department staff will score the site based on the scoring criteria, discussed in this package.

4. Selection of sites: The selection panel will consist of members from the Cal/EPA Departments and Cal/EPA. The panel will select the sites by considering the individual score in conjunction with overall geographic diversity, financial need, and diversity in site or contaminant type, and redevelopment project type. If more funding is requested than is available, the above scoring procedure will be used to prioritize applicants for funding purposes.

ONCE A SITE IS SELECTED

Each applicant will be notified of the results of the selection process as indicated in the Schedule of Activities. U.S. EPA will be notified of the projects that have been identified to receive services under the TSI and given an opportunity to verify the projects are eligible to receive funding through the grant. DTSC will initiate a scoping meeting with the applicant and the designated contractor to determine the specific scope of work. Information submitted in the application will be used to develop a Work Plan that will outline the activities, deliverable and time frames. Completion of project based will be based on project scope and activities.

SCHEDULE OF ACTIVITIES

- June 9th 2008: TSI application package available on DTSC's website
- July 31st 2008: TSI application deadline
- Mid-August 2008: Decision notices for TSI applications
- Early September 2008: DTSC Project Managers will be assigned, and DTSC's contract process will be initiated
- October 2008: Site-specific activities will be initiated
- April 2009: Project completion is anticipated on or before April 2009



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QUESTIONS & APPLICATION ASSISTANCE

For questions about the TSI process, or for assistance with the application,
please contact:

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